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NO. 8048 P. 1

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DATE: September 26, 2005

PTO IDENTIFIER: Application Number 10/523362
Patent Number

Inventor: CHARDONNES et al.

MESSAGE TO: U.S. Patent and Trademark Office

FAX NUMBER: 571-273-8300

FROM: CONNOLLY BOVE LODGE & HUTZ LLP
Roberte M. D. Makowski

PHONE: (302) 658-9141

Attorney Dkt. #: 13311-00012-US

PAGES (Including Cover Sheet): 8

CONTENTS: Certificate of Transmission (1 page)
Transmittal of POA (1 page)
POA (1 page)
Statement Under 37 CFR 3.73(b) (1 page)
Copy of Recordation Form Cover Sheet and Assignment (3 pages)

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Application No. (if known): 10/523362

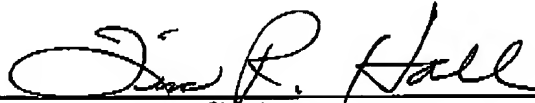
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Statement 3.73(b) (1 page)
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NO. 8048 P. 3

SEP 26 2005

Docket No. 13311-00012-US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
CHARDONNENS et al.

Conf. No.: Not Yet Assigned

Application No.: 10/523362

Group Art Unit: Not Yet Assigned

Filed: February 7, 2005

Examiner: Not Yet Assigned

For: NUCLEIC ACID SEQUENCES ENCODING
PROTEINS ASSOCIATED WITH ABIOTIC
STRESS RESPONSE

TRANSMITTAL OF POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants enclose herewith the executed Power Of Attorney To Prosecute Applications Before the USPTO with change of correspondence address and Statement Under 37 CFR § 3.73(b) in the above-referenced application. Because a Notice of Recordation has not yet been received, the Reel and Frame number have not been completed in the Statement Under 37 CFR § 3.73(b). However, a copy of the original assignment and cover sheet submitted with the filing of the National Stage of the above-referenced application on February 7, 2005 is enclosed.

Applicants believe no fee is due. However, if a fee is due, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 03-2775, under Order No. 13311-00012-US, from which the undersigned is authorized to draw.

Respectfully submitted,

By 

Roberte M. D. Makowski

Registration No.: 55,421

CONNOLLY BOVE LODGE & HUTZ LLP

1007 North Orange Street

P.O. Box 2207

Wilmington, Delaware 19899


(302) 658-9141

(302) 658-5614 (Fax)

Attorney for Applicants

418544

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO			
I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).			
I hereby appoint:			
<input checked="" type="checkbox"/> Practitioners associated with the Customer Number:	23416		
OR			
<input type="checkbox"/> Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):			
Name	Registration Number	Name	Registration Number
as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).			
Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:			
<input checked="" type="checkbox"/> The address associated with Customer Number:	23416		
OR			
<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	Fax
Country	Telephone		
Assignee Name and Address:			
BASF Plant Science GmbH			
67056 Ludwigshafen			
GERMANY			
A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.			
SIGNATURE of Assignee of Record			
The individual whose signature and title is supplied below is authorized to act on behalf of the assignee			
Signature			Date April 12, 2005
Name	Dr. Biebert		
Title	ppa. Bieberbach i.V. President		

368181

- Director - - Authorized Officer -

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: CHARDONNENS et al.Application No./Patent No.: 10/523362 Filed/Issue Date: February 7, 2005Entitled: NUCLEIC ACID SEQUENCES ENCODING PROTEINS ASSOCIATED WITH ABIOTIC STRESS RESPONSEBASF Plant Science GmbH, a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

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☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Roberte Makowski
SignatureSeptember 23, 2005
DateRoberte M.D. Makowski, Ph.D.
Printed or Typed Name302-658-9141
Telephone NumberAttorney - Reg. No. 55,421
Title

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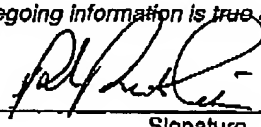
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Attorney Docket No.: 532622010300

Form PTO-1595 (Rev. 03/01) OMB No. 0651-0027 (exp. 5/31/2002)		RECORDATION FORM COVER SHEET		U.S. DEPARTMENT OF COMMERCE U.S. Patent and Trademark Office	
PATENTS ONLY					
To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof					
1. Name of conveying party(ies): Agnes CHARDONNENS Piotr PUZIO Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No			2. Name and address of receiving party(ies) Name: BASF Plant Science GmbH Street Address: 67056 Ludwigshafen GERMANY Additional name(s) & address(es) attached: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
3. Nature of Conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: December 10, 2004 and December 10, 2004					
4. Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the new application is: December 10, 2004 and December 10, 2004 A. Patent Application No.(s): B. Patent No.(s): Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
5. Name and address of party to whom correspondence concerning document should be mailed: Name: Barry E. Bretschneider MORRISON & FOERSTER LLP Street Address: 1650 Tysons Blvd., Suite 300 City: McLean State: VA Zip: 22102			6. Total number of applications and patents involved: <u>1</u> 7. Total fee (37 CFR 3.41) \$ <u>40.00</u> <input type="checkbox"/> Enclosed <input checked="" type="checkbox"/> Authorized to be charged to deposit account <input type="checkbox"/> Authorized to be charged to credit card (Form 2038 enclosed) 8. Deposit account number: <u>03-1952</u> (Attach duplicate copy of this page if paying by deposit account)		
DO NOT USE THIS SPACE					
9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Barry E. Bretschneider, Reg. No. 28,055 Name of Person Signing  Signature February 7, 2005 Date Total number of pages including cover sheet, attachments, and documents: <u>3</u>					

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VA-92764

Assignment of Application

0000053815

WHEREAS, I (WE)

Agnes Chardonnens, Edelweißstr. 40, 13158 Berlin, Germany
Citizen of Netherlands

Piotr Puzio, Edeltraudweg 21, 13505 Berlin, Germany
Citizen of Germany

respectively, have invented certain new and useful improvements in

NUCLEIC ACID SEQUENCES ENCODING PROTEINS ASSOCIATED WITH
ABIOTIC STRESS RESPONSE

for which an application for Letters Patent was executed on

(Application No. PCT/EP03/06994, filed July 1, 2003), and

WHEREAS, *BASF Plant Science GmbH* (hereinafter referred to as "ASSIGNEE"), having a place of business at *67056 Ludwigshafen, Germany*, is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent that may be granted therefore in the United States and its territorial possessions and in any and all foreign countries;

NOW, THEREFORE, in consideration of the sum of Five Dollars (\$5.00), the receipt whereof is hereby acknowledged, and for other good and valuable consideration, I (WE), by these presents do sell, assign and transfer unto said ASSIGNEE, the full and exclusive right to the said invention in the United States and its territorial possessions and in all foreign countries and the entire right, title and interest in and to any and all Letters Patent which may be granted therefor in the United States and its territorial possessions and in any and all foreign countries and in and to any and all divisions, reissues, continuations, substitutions and renewals thereof.

I (WE) hereby authorize and request the Patent Office Officials in the United States and its territorial possessions and any and all foreign countries to issue any and all of said Letters Patent, when granted, to said ASSIGNEE as the assignee of my (our) entire right, title and interest in and to the same, for the sole use and behoof of said ASSIGNEE, its (his) successors and assigns, to the full end of the term for which said Letters Patent may be granted, as fully and entirely as the same would have been held by me (us) had this Assignment and sale not been made.

FURTHER, I (WE) agree that I (WE) will communicate to said ASSIGNEE, or its (his) representatives any facts known to me (us) respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuation, substitute, renewal and reissue applications, execute all necessary assignment papers to cause any and all of said Letter Patent to be issued to said ASSIGNEE, make all rightful oaths, and, generally do everything possible to aid said ASSIGNEE, its (his) successors and assigns, to obtain and enforce proper protection for said invention in the United States and its territorial possessions and in any and all foreign countries.

The undersigned hereby grant(s) the firm of **MORRISON & FOERSTER LLP**, 1650 TYSONS BOULEVARD, SUITE 300, McLEAN, VIRGINIA 22102-3915, the power to insert on this assignment any further identification, including the application number and filing date, which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

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NO. 8048 P. 8

USA

Page 2 of 2

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Date: 10.12.04

Signature of Inventor:


Agnes Chardonnens

Date: 10/12/04

Signature of Inventor:


Piotr Puzio

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